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11 Attorneys for PLAINTIFF
12 ROBERT HUNTER BIDEN

13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**
15 **WESTERN DIVISION**

16 ROBERT HUNTER BIDEN, an
17 individual,
18 Plaintiff,
19 vs.
20 PATRICK M. BYRNE, an individual,
21 Defendant.

Case No. 2:23-cv-09430-SVW-PD

Hon. Stephen V. Wilson

**PLAINTIFF ROBERT HUNTER
BIDEN'S *EX PARTE* APPLICATION
FOR AN ENTRY OF DEFAULT AS
TO DEFENDANT PATRICK M.
BYRNE**

Complaint Filed: November 8, 2023

1 **PLEASE TAKE NOTICE** that Plaintiff Robert Hunter Biden, by and through
2 his attorneys of record, hereby applies *Ex Parte* to this Court for an order vacating the
3 trial date in this matter and directing the Clerk of Court to enter a default as to Defendant
4 Patrick M. Byrne, pursuant to rule 55(a) of the Federal Rules of Civil Procedure.

5 Since terminating his counsel on the first day of trial, Defendant has refused to
6 appear, personally or through counsel, to defend this action and he has repeatedly
7 violated orders of the Court. On September 29, 2025, the Court held a hearing on
8 Plaintiff's application for sanctions. The Court granted the application for sanctions,
9 indicated that it will place Defendant in default as a sanction for his continuing refusal
10 to obey the orders of the Court, and directed Plaintiff to file a motion for a default
11 judgment. ECF No. 341. Entry of a default is a prerequisite for a motion for a default
12 judgment. L.R. 55-1 (requiring an application for a default judgment to include a
13 declaration stating when the default was entered). Plaintiff therefore applies for an
14 order vacating the October 14, 2025, trial date and directing the Clerk to enter
15 Defendant's default. Plaintiff anticipates that filing the application for default
16 judgment, which will include evidentiary submissions and expert declarations, will take
17 about two weeks.

18 Notice of this application cannot be given to Defendant because he is
19 unrepresented by counsel and has failed to provide his contact information to Plaintiff
20 as ordered by the Court and as required by the Court's Local Civil Rules.

21
22 Dated: October 6, 2025

RICHARD A. HARPOOTLIAN, PA

23 By: /s/ Phillip D. Barber

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